

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A JUDGE, NO. 01-244
(Judge Charles W. Cope)

Case No. SC01-2670

AFFIDAVIT OF THOMAS C. MACDONALD, JR.
IN OPPOSITION TO MOTION FOR ATTORNEY'S FEES

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared Thomas C. MacDonald, Jr., who being first duly sworn, deposes and says:

1. I have been the duly appointed General Counsel to the Florida Judicial Qualifications Commission since January 8, 1997.
2. I was present at the third day of Judge Cope's deposition and during all settlement negotiations with Judge Cope and his counsel Robert Merkle.
3. At no point during these meetings or at any other time of which I am aware, did I or Special Counsel John S. Mills ever state or suggest that either of us did not believe there was sufficient evidence to support a finding against Judge Cope on all counts in these proceedings.
4. We did discuss a possible settlement, which discussions and correspondence are accurately set forth in the Affidavit of John S. Mills.
5. To the best of my knowledge and belief, at no point have I or anyone else

affiliated with the Judicial Qualifications Commission (including Special Counsel Mills) participated in the prosecution of Judge Cope without believing that Judge Cope was guilty as charged.

Further your Affiant sayeth not.

Thomas C. MacDonald, Jr.

Sworn to and subscribed before me, this __ day of August, 2002, by Thomas C. MacDonald, Jr., who is personally known to me and did take an oath.

Notary Public